

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA : INDICTMENT  
-v- : 17 Cr. \_\_\_\_ ( )  
CHI PING PATRICK HO, :  
a/k/a "Patrick C.P. Ho," :  
a/k/a "He Zhiping," :  
Defendant. :  
----- x  
----- x  
COUNT ONE

17 CRIM 779

USDC SDNY  
DOCUMENT  
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(Conspiracy to Violate the Foreign Corrupt Practices Act)

The Grand Jury charges:

1. From at least in or about the fall of 2014, up to and including in or about January 2017, in the Southern District of New York and elsewhere, CHI PING PATRICK HO, a/k/a "Patrick C.P. Ho," a/k/a "He Zhiping," the defendant, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit offenses against the United States, to wit, to violate Title 15, United States Code, Sections 78dd-2 and 78dd-3.

2. It was a part and an object of the conspiracy that CHI PING PATRICK HO, a/k/a "Patrick C.P. Ho," a/k/a "He Zhiping," the defendant, and others known and unknown, being a domestic concern and an officer, director, employee, and agent of a

JUDGE FORREST

domestic concern and a stockholder thereof acting on behalf of such domestic concern, would and did willfully and corruptly make use of the mails and a means and instrumentality of interstate commerce in furtherance of an offer, payment, promise to pay, and authorization of the payment of money, and offered, gifted, promised to give, and authorized the giving of a thing of value to a foreign official, and to a person, while knowing that all and a portion of such money and thing of value would be offered, given, and promised, directly and indirectly, to a foreign official, for purposes of: (A) (i) influencing an act and decision of such foreign official in his official capacity, (ii) inducing such foreign official to do and omit to do an act in violation of the lawful duty of such official, and (iii) securing an improper advantage, and (B) inducing such foreign official to use his influence with a foreign government and instrumentality thereof to affect and influence an act and decision of such government and instrumentality, in order to assist such domestic concern in obtaining and retaining business for and with, and directing business to, a person, in violation of Title 15, United States Code, Section 78dd-2(a)(1) & (a)(3), to wit, HO agreed to pay and offer money and other things of value to foreign officials in Africa, including the President of

Chad and the Minister of Foreign Affairs of Uganda (the "Ugandan Foreign Minister") and the President of Uganda, to obtain business for a Shanghai-based energy conglomerate (the "Energy Company").

3. It was a further part and an object of the conspiracy that CHI PING PATRICK HO, a/k/a "Patrick C.P. Ho," a/k/a "He Zhiping," the defendant, and others known and unknown, would and did, while in the territory of the United States, willfully and corruptly make use of the mails and a means and instrumentality of interstate commerce and do an act in furtherance of an offer, payment, promise to pay, and authorization of the payment of money, and offer, gift, promise to give, and authorize the giving of a thing of value to a foreign official, and to a person, while knowing that all and a portion of such money and thing of value would be offered, given, and promised, directly and indirectly, to a foreign official, for purposes of:

- (A) (i) influencing an act and decision of such foreign official in his official capacity, (ii) inducing such foreign official to do and omit to do an act in violation of the lawful duty of such official, and (iii) securing an improper advantage, and
- (B) inducing such foreign official to use his influence with a foreign government and instrumentality thereof to affect and

influence an act and decision of such government and instrumentality, in order to assist in obtaining and retaining business for and with, and directing business to, a person, in violation of Title 15, United States Code, Section 78dd-3(a)(1) & (a)(3), to wit, HO agreed to pay and offer money and other things of value to foreign officials in Africa, including the President of Chad and the Ugandan Foreign Minister and the President of Uganda, to obtain business for the Energy Company.

Overt Acts

4. In furtherance of the conspiracy and to effect the illegal objects thereof, the following overt acts, among others, were committed and caused to be committed by CHI PING PATRICK HO, a/k/a "Patrick C.P. Ho," a/k/a "He Zhiping," the defendant, and others in the Southern District of New York and elsewhere:

a. In or about October 2014, HO met at the United Nations ("UN") in New York, New York with a former Foreign Minister of Senegal (the "Former Senegalese Foreign Minister").

b. On or about October 19, 2014, HO met at the UN in New York, New York with the Ugandan Foreign Minister.

c. On or about November 19, 2014, the Former Senegalese Foreign Minister advised HO by email to "reward" the President of Chad with a "nice financial package."

d. In or about January 2015, HO caused a pledge of \$2 million to be extended by the Energy Company to the President of Chad.

e. On or about March 12, 2015, HO met at the UN in New York, New York with the Ugandan Foreign Minister.

f. On or about March 25, 2015, HO caused a payment of \$200,000 to be wired from Hong Kong, through New York, New York, to an account in Dubai designated by the Former Senegalese Foreign Minister.

g. On or about July 3, 2015, HO caused a payment of \$200,000 to be wired from Hong Kong, through New York, New York, to an account in Dubai designated by the Former Senegalese Foreign Minister.

h. On or about August 2, 2015, the Ugandan Foreign Minister appointed the Chairman of the Energy Company as a "Special Honorary Advisor" to the President of the UN General Assembly.

i. On or about May 6, 2016, HO caused a payment of \$500,000 to be wired from Hong Kong, through New York, New York, to an account in Uganda designated by the Ugandan Foreign Minister.

(Title 18, United States Code, Section 371.)

COUNT TWO

(Violation of the Foreign Corrupt Practices Act:  
Domestic Concern - Chad Scheme)

The Grand Jury further charges:

5. From at least in or about the fall of 2014, up to and including in or about January 2017, in the Southern District of New York and elsewhere, CHI PING PATRICK HO, a/k/a "Patrick C.P. Ho," a/k/a "He Zhiping," the defendant, being a domestic concern and an officer, director, employee, and agent of a domestic concern and a stockholder thereof acting on behalf of such domestic concern, willfully and corruptly made use of the mails and a means and instrumentality of interstate commerce in furtherance of an offer, payment, promise to pay, and authorization of the payment of money, and offered, gifted, promised to give, and authorized the giving of a thing of value to a foreign official, and to a person, while knowing that all and a portion of such money and thing of value would be offered, given, and promised, directly and indirectly, to a foreign official, for purposes of: (A) (i) influencing an act and decision of such foreign official in his official capacity, (ii) inducing such foreign official to do and omit to do an act in violation of the lawful duty of such official, and

(iii) securing an improper advantage, and (B) inducing such foreign official to use his influence with a foreign government and instrumentality thereof to affect and influence an act and decision of such government and instrumentality, in order to assist such domestic concern in obtaining and retaining business for and with, and directing business to, a person, to wit, HO paid and offered money and other things of value to foreign officials in Chad, including the President of Chad, to obtain business for the Energy Company.

(Title 15, United States Code, Sections 78dd-2(a)(1)(A), 78dd-2(a)(1)(B), 78dd-2(a)(3)(A), 78dd-2(a)(3)(B), 78dd-2(g)(2)(A); Title 18, United States Code, Section 2.)

COUNT THREE

(Violation of the Foreign Corrupt Practices Act:  
Domestic Concern - Uganda Scheme)

The Grand Jury further charges:

6. From at least in or about the fall of 2014, up to and including in or about January 2017, in the Southern District of New York and elsewhere, CHI PING PATRICK HO, a/k/a "Patrick C.P. Ho," a/k/a "He Zhiping," the defendant, being a domestic concern and an officer, director, employee, and agent of a domestic concern and a stockholder thereof acting on behalf of such domestic concern, willfully and corruptly made use of the mails

and a means and instrumentality of interstate commerce in furtherance of an offer, payment, promise to pay, and authorization of the payment of money, and offered, gifted, promised to give, and authorized the giving of a thing of value to a foreign official, and to a person, while knowing that all and a portion of such money and thing of value would be offered, given, and promised, directly and indirectly, to a foreign official, for purposes of: (A) (i) influencing an act and decision of such foreign official in his official capacity, (ii) inducing such foreign official to do and omit to do an act in violation of the lawful duty of such official, and (iii) securing an improper advantage, and (B) inducing such foreign official to use his influence with a foreign government and instrumentality thereof to affect and influence an act and decision of such government and instrumentality, in order to assist such domestic concern in obtaining and retaining business for and with, and directing business to, a person, to wit, HO paid and offered money and other things of value to foreign officials in Uganda, including the Ugandan Foreign Minister and

the President of Uganda, to obtain business for the Energy Company.

(Title 15, United States Code, Sections 78dd-2(a)(1)(A), 78dd-2(a)(1)(B), 78dd-2(a)(3)(A), 78dd-2(a)(3)(B), 78dd-2(g)(2)(A); Title 18, United States Code, Section 2.)

COUNT FOUR

(Violation of the Foreign Corrupt Practices Act:  
Within the United States - Chad Scheme)

The Grand Jury further charges:

7. From at least in or about the fall of 2014, up to and including in or about January 2017, in the Southern District of New York and elsewhere, CHI PING PATRICK HO, a/k/a "Patrick C.P. Ho," a/k/a "He Zhiping," the defendant, while in the territory of the United States, willfully and corruptly made use of the mails and a means and instrumentality of interstate commerce and did an act in furtherance of an offer, payment, promise to pay, and authorization of the payment of money, and offered, gifted, promised to give, and authorized the giving of a thing of value to a foreign official, and to a person, while knowing that all and a portion of such money and thing of value would be offered, given, and promised, directly and indirectly, to a foreign official, for purposes of: (A)(i) influencing an act and decision of such foreign official in his official capacity,

(ii) inducing such foreign official to do and omit to do an act in violation of the lawful duty of such official, and

(iii) securing an improper advantage, and (B) inducing such foreign official to use his influence with a foreign government and instrumentality thereof to affect and influence an act and decision of such government and instrumentality, in order to assist in obtaining and retaining business for and with, and directing business to, a person, to wit, HO paid and offered money and other things of value to foreign officials in Chad, including the President of Chad, to obtain business for the Energy Company.

(Title 15, United States Code, Sections 78dd-3(a)(1)(A), 78dd-3(a)(1)(B), 78dd-3(a)(3)(A), 78dd-3(a)(3)(B), 78dd-3(e)(2)(A); Title 18, United States Code, Section 2.)

COUNT FIVE

(Violation of the Foreign Corrupt Practices Act:  
Within the United States - Uganda Scheme)

The Grand Jury further charges:

8. From at least in or about the fall of 2014, up to and including in or about January 2017, in the Southern District of New York and elsewhere, CHI PING PATRICK HO, a/k/a "Patrick C.P. Ho," a/k/a "He Zhiping," the defendant, while in the territory of the United States, willfully and corruptly made use of the

mails and a means and instrumentality of interstate commerce and did an act in furtherance of an offer, payment, promise to pay, and authorization of the payment of money, and offered, gifted, promised to give, and authorized the giving of a thing of value to a foreign official, and to a person, while knowing that all and a portion of such money and thing of value would be offered, given, and promised, directly and indirectly, to a foreign official, for purposes of: (A) (i) influencing an act and decision of such foreign official in his official capacity, (ii) inducing such foreign official to do and omit to do an act in violation of the lawful duty of such official, and (iii) securing an improper advantage, and (B) inducing such foreign official to use his influence with a foreign government and instrumentality thereof to affect and influence an act and decision of such government and instrumentality, in order to assist in obtaining and retaining business for and with, and directing business to, a person, to wit, HO paid and offered money and other things of value to foreign officials in Uganda, including the Ugandan Foreign Minister and the President of Uganda, to obtain business for the Energy Company.

(Title 15, United States Code, Sections 78dd-3(a)(1)(A), 78dd-3(a)(1)(B), 78dd-3(a)(3)(A), 78dd-3(a)(3)(B), 78dd-3(e)(2)(A); Title 18, United States Code, Section 2.)

COUNT SIX

(Conspiracy to Commit Money Laundering)

The Grand Jury further charges:

9. From at least in or about the fall of 2014, up to and including in or about January 2017, in the Southern District of New York and elsewhere, CHI PING PATRICK HO, a/k/a "Patrick C.P. Ho," a/k/a "He Zhiping," the defendant, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to violate Title 18, United States Code, Section 1956(a)(2)(A).

10. It was a part and an object of the conspiracy that CHI PING PATRICK HO, a/k/a "Patrick C.P. Ho," a/k/a "He Zhiping," the defendant, and others known and unknown, would and did knowingly transport, transmit, and transfer, and attempt to transport, transmit, and transfer, a monetary instrument and funds from a place in the United States to and through a place outside of the United States and to a place in the United States from and through a place outside of the United States, with the intent to promote the carrying on of specified unlawful activity, to wit, (a) the violations of the Foreign Corrupt Practices Act charged in Counts Two through Five of this

Indictment and (b) offenses against a foreign nation (Chad and Uganda) involving bribery of a public official, in violation of Title 18, United States Code, Section 1956(a)(2)(A), to wit, HO agreed to transmit and cause to be transmitted funds from China to and through the United States, and from the United States to foreign countries, in furtherance of a scheme to pay and offer money and other things of value to foreign officials in Africa, including the President of Chad and the Ugandan Foreign Minister and the President of Uganda, to obtain business for the Energy Company.

(Title 18, United States Code, Section 1956(h).)

COUNT SEVEN

(Money Laundering: Chad Scheme)

The Grand Jury further charges:

11. From at least in or about the fall of 2014, up to and including in or about January 2017, in the Southern District of New York and elsewhere, CHI PING PATRICK HO, a/k/a "Patrick C.P. Ho," a/k/a "He Zhiping," the defendant, knowingly transported, transmitted, and transferred, and attempted to transport, transmit, and transfer, a monetary instrument and funds from a place in the United States to and through a place outside of the United States and to a place in the United States from and

through a place outside of the United States, with the intent to promote the carrying on of specified unlawful activity, to wit, (a) the violations of the Foreign Corrupt Practices Act charged in Counts Two and Four of this Indictment, and (b) offenses against a foreign nation (Chad) involving bribery of a public official, to wit, HO transmitted and caused to be transmitted funds from China to and through the United States, and from the United States to foreign countries, in furtherance of a scheme to pay and offer money and other things of value to foreign officials in Chad, including the President of Chad, to obtain business for the Energy Company.

(Title 18, United States Code, Sections 1956(a)(2)(A) and 2.)

COUNT EIGHT

(Money Laundering: Uganda Scheme)

The Grand Jury further charges:

12. From at least in or about the fall of 2014, up to and including in or about January 2017, in the Southern District of New York and elsewhere, CHI PING PATRICK HO, a/k/a "Patrick C.P. Ho," a/k/a "He Zhiping," the defendant, knowingly transported, transmitted, and transferred, and attempted to transport, transmit, and transfer, a monetary instrument and funds from a place in the United States to and through a place outside of the

United States and to a place in the United States from and through a place outside of the United States, with the intent to promote the carrying on of specified unlawful activity, to wit, (a) the violations of the Foreign Corrupt Practices Act charged in Counts Three and Five of this Indictment, and (b) offenses against a foreign nation (Uganda) involving bribery of a public official, to wit, HO transmitted and caused to be transmitted funds from China to and through the United States, and from the United States to foreign countries, in furtherance of a scheme to pay and offer money and other things of value to foreign officials in Uganda, including the Ugandan Foreign Minister and the President of Uganda, to obtain business for the Energy Company.

(Title 18, United States Code, Sections 1956(a)(2)(A) and 2.)

FORFEITURE ALLEGATIONS

13. As a result of committing the offenses alleged in Counts One through Five of this Indictment, CHI PING PATRICK HO, a/k/a "Patrick C.P. Ho," a/k/a "He Zhiping," the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), any and all property, real or personal, which constitutes or is derived from proceeds traceable to the

commission of said offenses, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offenses that the defendant personally obtained.

14. As a result of committing the offenses alleged in Counts Six through Eight of this Indictment, CHI PING PATRICK HO, a/k/a "Patrick C.P. Ho," a/k/a "He Zhiping," the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(1), any and all property, real or personal, involved in said offenses, or any property traceable to such property, including but not limited to a sum of money in United States currency representing the amount of property involved in said offenses that the defendant personally obtained.

Substitute Assets Provision

15. If any of the above-described forfeitable property, as a result of any act or omission of CHI PING PATRICK HO, a/k/a "Patrick C.P. Ho," a/k/a "He Zhiping," the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;

c. has been placed beyond the jurisdiction of the Court;

d. has been substantially diminished in value;

or

e. has been commingled with other property which cannot be subdivided without difficulty; it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), and Title 28, United States Code, Section 2461, to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Sections 981 and 982;  
Title 21, United States Code, Section 853;  
Title 28, United States Code, Section 2461.)

Kimberly Hines  
FOREPERSON

Joon H. Kim  
JOON H. KIM  
ACTING UNITED STATES ATTORNEY

Sandra Moser  
SANDRA MOSER  
ACTING CHIEF, FRAUD SECTION  
CRIMINAL DIVISION

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- v. -

CHI PING PATRICK HO,  
a/k/a "Patrick C.P. Ho,"  
a/k/a "He Zhiping,"

Defendant.

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INDICTMENT

17 Cr. \_\_\_\_ ( )

(18 U.S.C. §§ 2, 371,  
1956(a)(2)(A), and 1956(h);  
15 U.S.C. §§ 78dd-2 and 78dd-3.)

JOON H. KIM  
United States Attorney.

SANDRA MOSER  
Acting Chief, Fraud Section,  
Criminal Division.

A TRUE BILL

Kimberly J. Kim  
Foreperson.

2/18 Chi Patrick Ho Indictment

5 days return

or